UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,290	10/07/1999	JEFFERY M. ENRIGHT	D-1112R1	3095

28995 7590 06/06/2005

RALPH E. JOCKE
walker & jocke LPA
231 SOUTH BROADWAY
MEDINA, OH 44256

EXAMINER	
VINCENT, DAVID ROBERT	

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/414,290	ENRIGHT ET AL.	
	Examiner	Art Unit	
	David R Vincent	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 November 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15, 17-22, 25-43* is/are rejected.

7)☒ Claim(s) *16,23 and 24* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 38-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Hackett (WO 98/11714).

Hackett discloses an apparatus (50, 54, pg. 7, lines 16-26) comprising an ATM (52) including a plurality of function devices (e.g., pg. 3, lines 26-29; pg. 4, lines 9-13; pg. 5, lines 4-8; pg. 8, lines 1-13), at least one camera (90a-d, pg. 8, lines 14-16) to produce image(s) of a human (e.g., pg. 3, lines 12-15;

pg. 8, lines 19-23), a computer (146) coupled to a data store (pg. 3, lines 24-25; hard drive, 168; stored at ATM, pg. 5, lines 14-17; permanent or removable storage, pg. 5, lines 29-31; 132, pg. 11, lines 4; main hard drive 148, pg. 13), responsive to operation of a selected function device (pg. 3, lines 24-28; pg. 4, lines 9-30; pg. 9, lines 2-11; pg. 15, lines 10-16; transaction detection, pg. 16, lines 10-13), wherein the computer is operative to store the image data on a first data (ATM transactions or alarms cause images to produced on a first or second date, pg. 15, lines 10-16; dates, pgs. 17-18), communication network (pg., 3, lines 29-31; pg. 15, lines 17-27; pg. 16, lines 7-9) operative with data store, a terminal (98); at a remote site (pg. 27, lines 26-31; pg., 3, lines 29-31; pg. 15, lines 17-27; pg. 16, lines 7-9), including a display device which can receive images on a second date (pg. 37, lines 15-25; dates, pgs. 17-18), storing data corresponding to camera signals responsive to operation of transaction (pg. 16, line 27-pg. 17, line 7; detection of transaction, pg. 16, lines 9-25; correlating, pg. 4, lines 9-30), and displaying image data corresponding to customer image data (pg. 37, lines 15-25; dates, pgs. 16-18), as specified in claim 38-40.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-15, 17-20, 22, 30, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hackett, as set forth above, and in view of Wookey (US 6,023,507).

As shown above Hackett discloses an apparatus (50) comprising an automated banking machine (52, pg. 7) carrying out at least one transaction function (pg. 3, lines 26-29; pg. 4, lines 9-13; pg. 8, lines 1-13), at least one camera (90a-d, pg. 8, lines 14-16) adjacent the banking machine (52), wherein the camera is operative to produce camera signals corresponding to images (pg. 16, line 27-pg. 17, line 7; detection of transaction, pg. 16, lines 9-25; correlating, pg. 4, lines 9-30), a user terminal including an output device (remote computer can output to printer, pg. 10, lines 26-32; or to computer storage devices or to network, pg. 27) in operative connection with the network, wherein the user terminal includes a browser (not further defined reads, on display device which is used in

browsing images, pg. 4; pg. 35; pg. 37; or browsing when remotely controlling ATM computer, pg. 27), and wherein the user terminal communicates with the computer through the browser (pg. 4; pg. 35; pg. 37; or browsing when remotely controlling ATM computer, pg. 27), and is operative to output images corresponding to the image data through the output device (printer, pg. 10, lines 26-32; or to computer storage devices or to network, pg. 27), as specified in claims 1, and 41.

(Claim 2) The apparatus according to claim 1 wherein the banking machine is operative to provide cash (pg. 5, lines 1-9), and wherein the computer is operative to include image data in the data store responsive to the machine operating to provide cash (pg. 5 or 8).

(Claim 3) The apparatus according to claim 2 wherein the data store includes instructions including data representative of a predetermined amount, and wherein the computer is operative to include image data in the data store when an amount of cash provided by the machine is at least the predetermined amount (pg. 5, lines 1-9; pg. 24, lines 18-23).

(Claim 4) The apparatus according to claim 1 wherein the machine includes a plurality of transaction function devices, and wherein the computer is operative to include image data in the data store responsive to operation of each of a plurality of

transaction function devices during a transaction (pg. 24, lines 18-23; pg. 8, lines 2-21).

(Claim 5) The apparatus according to claim 1 and further comprising a plurality of cameras, and wherein the data store further comprises instructions including a sequence (configuration settings altered, pg. 36, lines 26-31), wherein the computer is operative to sense lack of usable video (pg. 37, lines 5-14; Video Lost, pg. 31, lines 20-30) from a first camera and to store image data from a second camera responsive to the sequence (system can be readily configured, pg. 31, line 20-pg. 32, line 2; configuration settings can be altered, pg. 36, lines 24-31).

(Claim 6) The apparatus according to claim 1 wherein the banking machine includes an input device (deposit mechanism, pg. 8, lines 3-13; card reader input, ATM 52), and wherein the input device receives input data through the input device, and wherein the banking machine carries out the transaction function responsive to the input data, and wherein the computer is operative to include in the data store transaction data corresponding to the input data (input can be receiving ATM card pg. 7, lines 26-31 or deposit transaction; detect transaction, pg. 16, lines 9-15).

(Claim 7) The apparatus according to claim 6 wherein the user terminal is operative to process the transaction data (pg. 4, lines 9-30; pg. 15, lines 10-16; pgs, 17, 18, 26, 33, 34) with the browser (monitors or displays), and to output indicia

corresponding to the transaction data with the output images through the output device (printer, see above).

(Claim 8) The apparatus according to claim 1 and further comprising a second camera (90a-c, pg. 8), wherein the second camera produces second camera signals corresponding to a service area of the machine (pg. 8, line 14-pg. 9, line 11; general surveillance, pg. 21, lines 19-29), and wherein the computer is operative to include in the data store image data corresponding to the second camera signals (correlating, pg. 4, lines 9-30).

(Claim 9) The apparatus according to claim 8 wherein the second camera is located in an interior of the automated banking machine (pg. 8, lines 19-pg. 9, line 11, especially pg. 8, line 23).

(Claim 10) The apparatus according to claim 8 wherein the data store further includes motion detection instructions and wherein the computer is operative responsive to the motion detection instructions to include the image data corresponding to the second camera signals in the data store (pg. 5, lines 11-26; door sensing, pg. 9, lines 31-32; pg. 23, lines 10-12; pg. 29, line 29-pg. 30, line 8).

(Claim 11) The apparatus according to claim 8 and further comprising a door, wherein opening the door is operative to provide access to the service area, and further comprising a sensor in operative connection with the door, and further comprising instructions in the data store, wherein the computer is operative responsive to the instructions and the sensor

indicating that the door has been moved to an open condition, to include the image data corresponding to the second camera signals in the data store (pg. 5, lines 11-26; door sensing, pg. 9, lines 31-32; pg. 23, lines 10-12; pg. 29, line 29-pg. 30, line 8).

(Claim 13) The apparatus according to claim 1 wherein the data store includes instructions representative of a sequence, and wherein the computer is operative responsive to the sequence to include image data in the data store, and wherein the user terminal has in connection therewith a user terminal input device, and wherein the sequence is changeable through an input to the user terminal input device (pg. 16, lines 21-32; pg. 22, lines 21-25; pg. 32, lines 3-12; configuration setting can be changed, pg. 36, lines 24-31; various searches, pg. 37, lines 15-25; cameras can be configured in various ways, pg. 11, lines 20-22; using various compression formats, pg. 11, lines 25-27; selectable resolution, pg. 12, lines 25-29; capturing frames at specified intervals, pg. 32, lines 3-12).

(Claim 14) The apparatus according to claim 1 wherein the data store (removable hard drive, pg. 11, lines 1-7; image storage section 140, pg. 11; hard drives, 148, 150; pg. 13) includes instructions for determining a time period during which the data store is expected to continue to accept additional data, and wherein the computer is operative responsive to the instructions to calculate such a time period (size/resolution of images selectable, pg. 3, lines 18-24; knowing how many images fit on a storage medium, pg. 3, lines 24-26; pg. 19, lines 26-30; using compression to change the size and amount of images that can be

stored, pg. 11, lines 27-31; conserving space on a media, pg. 11, lines 28-31; calculating storage, pg. 14, lines 8-18; knowing that removable hard drive is about to reach capacity, pg. 20, lines 4-9; storing a number of images per camera, pg. 31, lines 10-20).

(Claim 15) The apparatus according to claim 14 wherein the instructions include message instructions for sending a message, and wherein the computer is operative responsive to the message instructions to send a message through the network wherein the message includes data representative of the time period (knowing that removable hard drive is about to reach capacity, pg. 20, lines 4-9; indicating that hard drive is full, pg. 24, lines 24-31; status of hard drives, pg. 25, lines 4-6; reporting malfunctions, pg. 37, lines 5-14; having to notify various medias are full, pg. 20, lines 2-9; 168, Fig. 2).

(Claim 17) The apparatus according to claim 1 wherein the computer and data store are located within the banking machine (images stored at ATM, pg. 5; cameras inside ATM behind panel, pg. 8, lines 19-26; equipment in ATM building 54, Fig. 1).

(Claim 18) The apparatus according to claim 1 wherein the camera signals are transmitted to the computer through a network (network, 72, Fig. 1; pg. 15, lines 10-32; pg. 16, lines 6-9; pg. 27, lines 29-31; pg. 29, lines 15-28).

(Claim 19) The apparatus according to claim 1 and further comprising a camera computer in operative connection with the camera, wherein the camera computer is in operative connection

with the computer (e.g., computing resolution, pgs. 11-13; programming cameras, pg. 19, lines 21-25; pg. 22, lines 21-25).

(Claim 20) The apparatus according to claim 1 and further comprising a plurality of cameras (pg. 8), and wherein a further network is in operative connection with the plurality of cameras and the computer, wherein the plurality of cameras communicate with the computer through the further network (e.g., computing resolution, pgs. 11-13; programming cameras, pg. 19, lines 21-25; pg. 22, lines 21-25; network, 72, Fig. 1; pg. 15, lines 10-32; pg. 16, lines 6-9; pg. 27, lines 29-31; pg. 29, lines 15-28; reporting malfunctions, pg. 37, lines 5-14; network data line, pg. 15, lines 14-18).

(Claim 22) The apparatus according to claim 1 wherein the data store comprises a recording device having a removable storage medium, wherein the image data is recorded on the removable storage medium (removable hard drive, pg. 11, lines 1-7; image storage section 140, pg. 11; hard drives, 148, 150; pg. 13).

However, Hackett fails to particularly call for using a computer labeled as a server, as specified in claims 1 and 41; and emailing the messages as specified in claim 12.

Wookey discloses responsive to the instructions to send an e-mail message through the network (col. 6, line 61-col. 7, line 4).

It would have been obvious to use computers labeled as servers because Hackett already discloses what amounts to a client (remote computer) and server (computers at ATM) environment. By running a sever operating system at the ATM,

would allow for more instructions to be stored at the ATM and give the ATM location more ability to download/push software updates on to clients. By using the email messages, Hackett could more easily reach a computer technician who is responsible for monitoring the various alarm conditions and malfunctions that are disclosed in Hackett. Hackett could then email an alarm image to a great many locations or employees.

Claim Rejections - 35 USC § 103

5. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hackett and Wookey, as set forth above, and further in view Blackwell (US 5,602,933).

Although Hackett discloses:

(Claim 25) The apparatus according to claim 1 wherein the banking machine includes an imaging device, wherein the imaging device is operative to generate transaction data (transaction images, pg. 4, lines 15-22; 90a-b, pg. 8, lines 15-16), and wherein the data store includes instructions, and the computer is further operative responsive to the instructions to include in the data store document image data corresponding to the transaction image signals (correlating, pg. 4, lines 9-30; pg. 15; pgs. 17-19; pg., 26).

(Claim 26) The apparatus according to claim 25 wherein the transaction image data is stored in correlated relation with image data produced responsive to the camera signals (correlating, pg. 4, lines 9-30; pg. 15; pgs. 17-19; pg., 26; pgs. 33-35).

6. (Claim 27) The apparatus according to claim 25 wherein the data store includes further instructions, and the computer is operative responsive to the further instructions to deliver the transaction image data through a network (e.g., computing resolution, pgs. 11-13; programming cameras, pg. 19, lines 21-25; pg. 22, lines 21-25; network, 72, Fig. 1; pg. 15, lines 10-32; pg. 16, lines 6-9; pg. 27, lines 29-31; pg. 29, lines 15-28; reporting malfunctions, pg. 37, lines 5-14; network data line, pg. 15, lines 14-18).

However, the combination of Hackett and Wookey fails to particularly call for document image signals corresponding to at least one appearance feature of documents input to the machine (meaning it is not clear if the transaction image signals in Hackett are really document image signals), as specified in claim 25 and document verification, as specified in claims 28-29.

Blackwell teaches document image signals corresponding to at least one appearance feature of documents input to the machine (col. 5, line 25-col. 10, line 15, especially col. 5, lines 25-48) and a document verification terminal in operative connection with the network, and wherein the document verification terminal is in operative connection with a verification data store including data representative of indicia which is indicative of the genuineness of documents, and wherein the document verification terminal includes a further browser,

and wherein the document verification terminal is operative to access the document image data through the server and to compare the document image data and the indicia from the verification data store (col. 5, line 25-col. 10, line 15, especially col. 5, lines 25-48), as specified in claim 28; wherein the indicia in the verification data store corresponds to written signatures, and wherein the document verification terminal is operative to compare signatures in documents represented by the document image data, to data representative of the written signatures in the verification data store (col. 5, line 25-col. 10, line 15, especially col. 5, lines 25-48).

It would have been obvious to add document image signals because Hackett discloses transaction image signals, and to add document verification to Hackett's ATM system because Hackett discloses a remote monitoring system wherein a plurality of financial transactions can be performed. By doing so would add more security by e.g., verifying the signatures on checks before accepting them for deposit, and possibly allowing customers to essentially cash checks.

Claim Rejections - 35 USC § 103

7. Claims 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hackett and Wookey, as set forth above, and further in view of Cruz (US 5,613,032).

However, the combination of Hackett and Wookey fails to particularly call for making one image larger, as specified in claim 31, using icons, as specified in claims 33-37, using what amounts to forward and reverse, as specified in claims 34-37.

Cruz teaches a plurality of cameras (210, Fig. 2; cameras, Figs. 3B, 7A) storing the images (390, and respective disclosure), delivering the images to a remote location (Fig. 2, clients 500) over a network (col. 8, line 66-col. 9, line 12), displaying a plurality of images (Figs. 7B, 7C, 7D) corresponding to operation of the transaction function devices during the transaction, together in a set on the display (e.g., a stacked representation, col. 8, lines 19-58; Figs. 7B, 7C, 7D, especially window C, Fig. 7C), as specified in claim 30; selecting one of the images in a set (intelligently searching, col. 8, lines 2-9, browsing frame to frame, col. 8, lines 31-46; cols. 13-15), wherein the user terminal is operative responsive to selection of one image in a set, to display a larger version of the selected image on the display (window C, Fig. 7C; col. 14, lines 39-44), as specified in claim 31; wherein the computer is operative to store data representative of the transaction data in a data store in correlated relation with the corresponding image data (using the derivative track, col. 6, line 55-col. 7, line 48), wherein the transaction data is accessed by the user terminal with the browser (Figs.7), wherein the corresponding transaction data is output on the display (Hackett, see above) of the user terminal with the selected image (Figs. 7; cols. 12-15), as specified in claim 32; wherein selection of the first icon with the input device is operative to selectively cause images in a series of images to be made visible on the display (e.g., selecting using a pointer, Fig. 7C; col. 14, lines 31-44), as specified in claim 33; wherein the display comprises a first icon and a second icon (Fig. 7C; col. 14, lines 31-44; buttons in software, Figs. 7A-C), wherein selection of the first icon with the input device is

operative to cause at least one image in a first direction in the series to be made visible and wherein selection of the second icon with the input device is operative to cause at least one image in a second direction in the series other than the first direction, to be made visible on the display (Fig. 7C; col. 14, line 45-col. 15, line 30; buttons in software, Figs. 7A-C), as specified in claim 34; wherein selection of the icon is operative to scroll through the series of images (selecting using a pointer, Fig. 7C; col. 14, lines 31-44; buttons in software, col. 14, line 45-col. 15, line 30), as specified in claim 35; wherein the display comprises a first icon and a second icon, wherein selection of the first icon with the input device is operative to cause at least one image in the series disposed of a first number of images in the series from a currently displayed image, to be displayed on the display, and wherein selection of the second icon with the input device is operative to cause at least one image in the series disposed a second number of images in the series from a currently displayed image, to be displayed (selecting using a pointer, Fig. 7C; col. 14, lines 31-44; buttons in software, col. 14, line 45-col. 15, line 30), as specified in claim 36; wherein the at least one image displayed responsive to the first icon and the at least one image displayed responsive to selection of the second icon, are each disposed in a first direction in the series from the currently displayed image (selecting using a pointer, Fig. 7C; col. 14, lines 31-44; buttons in software, col. 14, line 45-col. 15, line 30).

It would have been obvious to use icons and to have more features included with the selection on the display at either the local or remote location because Hackett clearly discloses a

great many details of how various types of searching can be done (e.g., Hackett: pg. 37, lines 15-25) and how the images from cameras can be related to financial transaction taking place at an ATM. Giving the user more features would merely make Hackett's system even more user friendly and easier to use when there is an emergency.

Claim Rejections - 35 USC § 103

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hackett and Wookey, as set forth above, and further in view of Bellman (US 4,831,438).

However, the combination of Hackett and Wookey fails to particularly call for including a power supply network.

Bellman teaches including a power supply (300, Fig. 1; col. 3, line 59-col. 4, line 12) network in a remote surveillance (col. 2, lines 50-53) camera (e.g., col. 2, lines 64-66) system (Figs. 1, 3, 5).

It would have been obvious to include a power supply network because the Hackett is directed towards a remote system which may be un-manned. Having a power supply network and/or backup power would enable the system to operate in the event that there was a disruption in power. Reading the claim more broadly, having a power supply network would simply mean the cameras and ATM could use AC/CD current and operate normally.

9. Claims 16, and 23-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R Vincent whose telephone number is 571 272 3080. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571 272 6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/30/05

David R Vincent
Primary Examiner
Art Unit 3628

April 28, 2005